IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 4TH APRIL 2007 / 14TH CHAITHRA 1929

WP(C).No. 11259 of 2007(M)

PETITIONER:

RATHI K.N,AGED 35 YEARS,W/O.AJAYAN,
MADATHANVEETIL HOUSE,P.O PERUVALLOOR,
CHAVAKKAD,THRISSUR.

BY ADV. SRI.RAJIT
SRI.RANJIT BABU

RESPONDENTS:

1. KERALA STATE HOUSING BOARD,
THIRUVANANTHAPURAM,REPRESENTED BY THE SECRETARY.

2. KERALA STATE HOUSING BOARD,
THRISSUR DIVISION,AYYANTHOLE,REPRESENTED BY THE SECRETARY.

BY ADV. POOVAPPALLY M.RAMACHANDRAN NAIR,SC.KSHB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.11259 of 2007

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Dated this the 4th day of April, 2007

J U D G M E N T

The petitioner is a defaulter in repayment of loan amounts due from her to the Kerala State Housing Board. The petitioner submits that she has filed Ext.P2 application for One Time Settlement (OTS) on 27.3.2007, before the last date prescribed for filing application for OTS. She seeks a direction to the respondents to consider the same. At the same time, she also wants the facility to pay off the amounts in instalments.

2. However, the learned Standing Counsel appearing for the Housing Board submits that payment as per OTS can only be in accordance with the Scheme and for that, instalment other than what is prescribed in the OTS Scheme cannot be granted. The petitioner, in such circumstances, submits that she may be permitted to pay off the balance amount

due in six equal monthly instalments.

3. Accordingly, this writ petition is disposed of with a direction to permit the petitioner to pay off all the amounts due in six equal monthly instalments starting from 1.5.2007. If the petitioner pays the instalments in time, further recovery proceedings shall be kept in abeyance. However, if the petitioner commits default in payment of any instalment, it would be open to the respondents to continue the recovery proceedings as now initiated without having to issue any fresh notice or proceedings.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.